IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 18TH JANUARY 2007 / 28TH PAUSHA 1928

Bail Appl..No. 261 of 2007()

AGAINST THE ORDER DATED 02/01/2007 IN ORDER IN CMP.18/2006 of JFCM.-I,NEYYATINKARA
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: PETITIONER/ACCUSED

SATHI, S/O.OMANA,
CHEMMANNUVILA VEEDU, PERUMPAZHUTOOR DESOM
AND VILLAGE, NEYYATTINKARA.

BY ADV. SRI.G.SUDHEER

RESPONDENT: COMPLAINANT

STATE OF KERALA, REPRESENTED BY
THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SHRI JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 18/01/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.Ramkumar, J.

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B.A.No. 261 of 2007

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Dated this the 18th day of January, 2007.

ORDER

Petitioner, who is the accused in C.R.No.63 of 2006 of Neyyattinkara Excise Range for offences punishable under Sec.8 (1) and (2) of the Abkari Act, for having been found in possession of 1.5 litres of illicit arrack on 26.12.2006 and who was arrested on the same day, seeks his enlargement on bail.

2. The learned Public Prosecutor opposed the application submitting inter alia that the petitioner is an accused in C.R. No.46 of 2004 of the same Excise Range involving 9 litres of illicit arrack.

3. I am not satisfied that both the grounds enumerated under Clause (b)(ii) of Sec. 41 A of the Abkari Act are present in this case so as to justify the release of the petitioner on bail.

This application is accordingly dismissed.

V.RAMKUMAR,
JUDGE.

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